

Re-Entry/Recovery Working Group Membership

Steve Douglas (Coordinator), Pueblo County Department of Emergency Management

John Short, Pine Bluff Army Depot

Joe Herring, FEMA Headquarters

David Holm, Colorado Office of Emergency Management

Wayne Thomas, Oregon Department of Environmental Quality

Randy Hecht, FEMA Region IV

Ted Medley, Colorado Office of Emergency Management

Clark Combs, Kentucky Emergency Management Agency

Mike Myirski, SBCCOM, PM-CSEPP

Kevin Kammerer, SBCCOM PM-CSEPP

Terry Hobbs, FEMA Headquarters

Ron Graham, USDA Headquarters

Mike Parette, Arkansas Department of Health

Ted Ryba (Facilitator), Innovative Emergency Management, Inc.



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Taskings

- ***Priority Issues***

- 6) Re-Entry and Restoration (#30)
- 7) Monitoring vs. Modeling to identify restricted areas (#35)
- T-10) Extraction - What is required to declare an area clear? (#31)



Subgroups

- **Definitions:** Develop definitions for the terms Re-entry, Recovery, and Restoration
- **“Who’s in Charge?”:** Review existing regulations, statutes and laws to determine if this is defined for the recovery and restoration phase. If it is not defined, use existing systems already in-place as a model for recommendations to develop an appropriate system
- **“Is it Safe to go Home?”:** Map out a process to allow the decision of re-entry to be made by local personnel. Includes defining terms and reviewing the use of modeling vs. monitoring
- **Agricultural Issues:** Investigate a mechanism for dealing with the impact to agricultural resources following a chemical accident or incident. The CAI may be limited to on-installation, or may extend beyond the installation boundary. Scope includes dealing the perception there may be a contamination issue to dealing with an actual contamination issue
- **Legal Claims:** Investigate the process for handling claims made following a chemical accident/incident that extends beyond the installation boundary. Includes determining which regulations, statutes or laws may apply



Re-Entry/Recovery Working Group

Definitions Sub-Group

- Sub-Group Membership:
 - Leader: Wayne Thomas - Oregon Department of Environmental Quality
 - Member: Randy Hecht - FEMA Region IV



Objective

- Develop definitions for:
 - Recovery
 - Reentry
 - Restoration
- Source Material:
 - "CSEPP Re-Entry/Restoration Plan Workbook"
June 1994



Recovery

- **The period when immediate threat to human life has passed and general evacuation has ceased. Recovery refers to the actions taken to restore an affected area as nearly as possible to its pre-emergency condition. Thus, it refers to the process of reducing exposure rates and concentrations in the environment to acceptable levels for unconditional occupancy or use after the emergency phase of an accident or incident. Recovery differs from reentry in that recovery encompasses the efforts and resources needed to return the affected area to its pre-accident condition. Recovery includes both short- and long-term activities. Short-term recovery returns vital systems to minimum operating standards, seeks to restore critical services to the community, and provides for the basic needs of the public. Long-term recovery focuses on restoring the community to its normal, or improved, state of affairs and on returning life to normal or improved levels. The recovery period is also an opportune time to institute mitigation measures, particularly those related to the recent emergency. (This definition was developed with the CSEPP community in mind. It does not consider or include the Department of Defense definition of recovery as it relates to the actions required to re-secure munitions involved in a chemical agent accident.)**



Re-Entry

- The entry of persons into an affected (i.e., contaminated or potentially contaminated) area following a release. The terms controlled re-entry, restricted re-entry, occupational re-entry, and emergency re-entry refer to the temporary, short-term readmission of persons (primarily emergency workers) into a restricted zone for the purpose of performing some essential task. The terms uncontrolled re-entry, unrestricted re-entry, and general re-entry are used in the context of uncontrolled, permanent re-access to refer to those provisions leading up to unlimited public access or the re-occupation or use of previously restricted zones after the hazards have been reduced to acceptable levels.



Restoration

- Removal and decontamination of all chemical warfare agents, removal of any rubble, and emergency repair of structures and facilities. The culmination of these activities is reestablishment of major utilities and services and the return of social and economic activities to near-normal levels. The terms recovery and restoration have been used in combination to refer to the entire group of activities undertaken to prepare a previously contaminated and restricted area for unlimited re-occupation and/or use by the public.



Looking Ahead

- Recommendation:
 - Take the 1994 DRAFT *CSEPP Re-Entry/Restoration Plan Workbook* to FINAL Version



Re-Entry/Recovery Working Group

“Who’s In Charge?” Sub-Group

- Sub-Group Membership
 - Group Leader: Randy Hecht - FEMA Region IV
 - Member: Ted Medley - Colorado Office of Emergency Management
 - Member: Steve Douglas - Pueblo County Department of Emergency Management
 - Member: Clark Combs - Kentucky Emergency Management Agency



QUESTION:

FOR A COMMUNITY LEVEL EVENT
(THE PLUME LEAVES THE
INSTALLATION) ... WHO IS IN
CHARGE???



ANSWER:

COORDINATION & COOPERATION
BETWEEN FEDERAL, STATE & LOCAL
GOVERNMENTS IS CALLED FOR IN EACH
OF THE FOLLOWING:

- FEDERAL RESPONSE PLAN;
- NATIONAL CONTINGENCY PLAN;
- U.S.EPA CONTINGENCY PLAN;
- DA PAM 50-6; AND
- CSEPP PLANNING GUIDANCE.

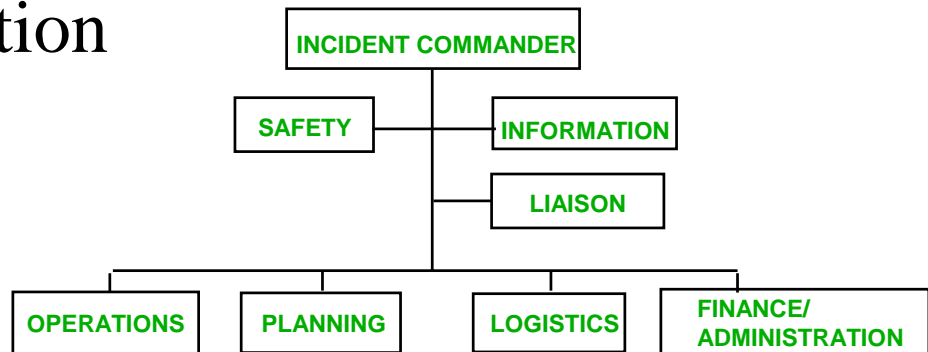


EACH JURISDICTION HAS AN “IN CHARGE” ROLE, DEPENDING ON GEOGRAPHY, WHICH CAN BE MANAGED THROUGH THE APPLICATION OF THE INCIDENT COMMAND SYSTEM (ICS).



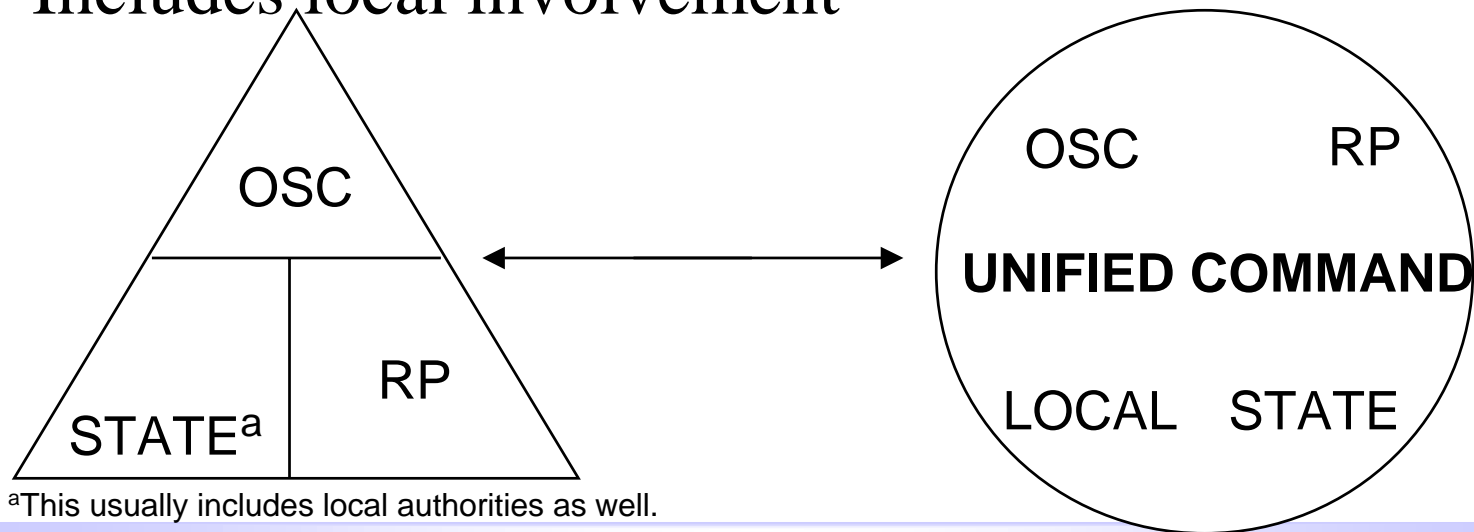
Incident Command System

- Provides organizational structure for response to oil spills and discharges and hazardous substance emergencies
- Divides emergency response into five functions: Command, Operations, Planning, Logistics, and Finance/Administration

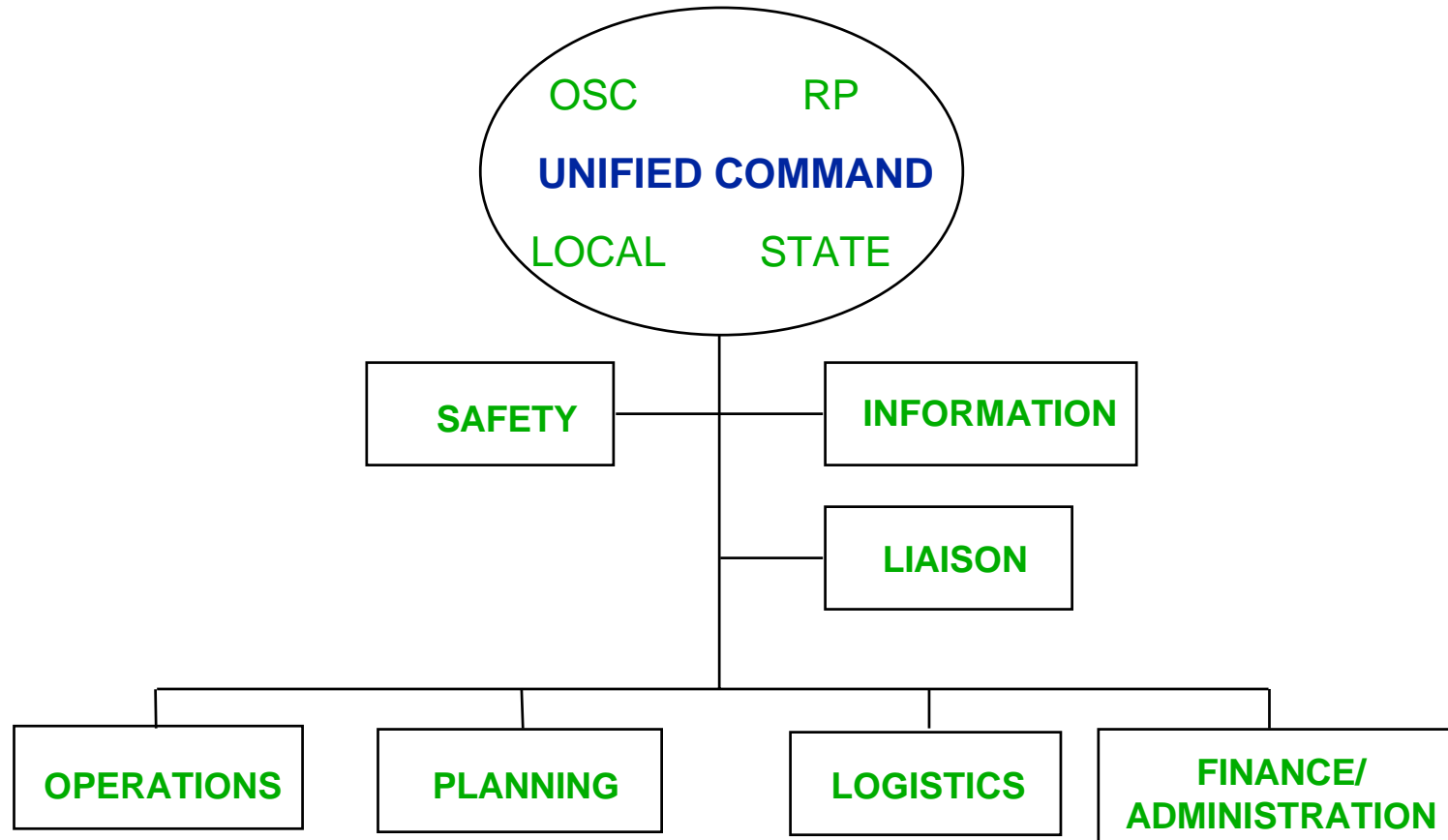


Unified Command

- Component of an ICS
- Creates organizational link between the organizations responding to an incident
- Includes local involvement



Relationship Between UC and ICS



Responder

Capabilities and Constraints

- Federal On-Scene Coordinator
 - Capability: Responsible for coordinating and directing response resources. Ultimately responsible for ensuring the response is consistent with the NCP
 - Constraint: Lacks ability to initiate evacuations
- State responders
 - Capability: May have more specialized capabilities than local responders
 - Constraint: May have limited resources



Responder

Capabilities and Constraints (cont'd)

- Local responders
 - Capability: Possess authorities such as evacuation and shelter-in-place orders and arrest powers. May also establish an initial ICS
 - Constraint: May have limited resources
 - Responsible party
 - Capability: Provides an Incident Management Team to assist in the response effort
 - Constraint: May have limited resources for responding and must address major financial and legal issues
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Essential Planning Elements

- Formalized structure accepted by all parties
- Well-defined functions and responsibilities
- Designated individuals for each function
- Defined and accepted reporting mechanisms
- Participant commitment to respond as a team
- Training and familiarity with ICS/UC addressed in plans
- Defined relationships to entities outside ICS but relevant to the NRS



Sources of ICS Information

- NRT's Minimum Essential ICS Training Elements
- NRT's Federal Natural Resource Trustees and the ICS/UC
- Annex 3 of the NRT ICP Guidance
- USCG's Oil Spill Field Operations Guide
- FEMA's and the U.S. Fire Administration's Computer-assisted Instruction for ICS: Self-study Course



Sources of ICS Information (cont.)

- USCG's OSC2 – On-scene Command and Control Prototype
- Setting Objectives in a Unified Command: The “Cost” of Leadership, 1999 IOSC Proceedings
- Incident Command System, Fire Protection Publications, Oklahoma State University



Re-Entry/Recovery Working Group

“Safe to go Home?” Sub-Group

- Sub-Group Membership:
 - Leader: Mike Myirski - SBCCOM, PM-CSEPP
 - Leader: Randy Hecht - FEMA Region IV
 - Member: Kevin Kammerer - SBCCOM, PM-CSEPP
 - Member: Wayne Thomas - Oregon Department of Environmental Quality



Background

- ***CSEPP Off-Post Monitoring Integrated Process Team Report (December 1998)***
 - Monitoring Technology Cannot Always Determine Chemical Warfare Agent Plume Travel
 - Monitoring Should be Used in Concert with Air Dispersion Modeling to Assist in Reentry/Recovery Decision-Making



Modeling vs. Monitoring

Modeling **vs.** **Monitoring**

Initially Assists in the
Establishment of Work Zones
(Cold, Warm, and Hot)

Modeling and Monitoring
Plan Determine Where to
Initiate Monitoring

Statistical Models Used to
Determine Sampling Grid
(Unbiased/Biased)

Determine Levels of
Chemical Residue

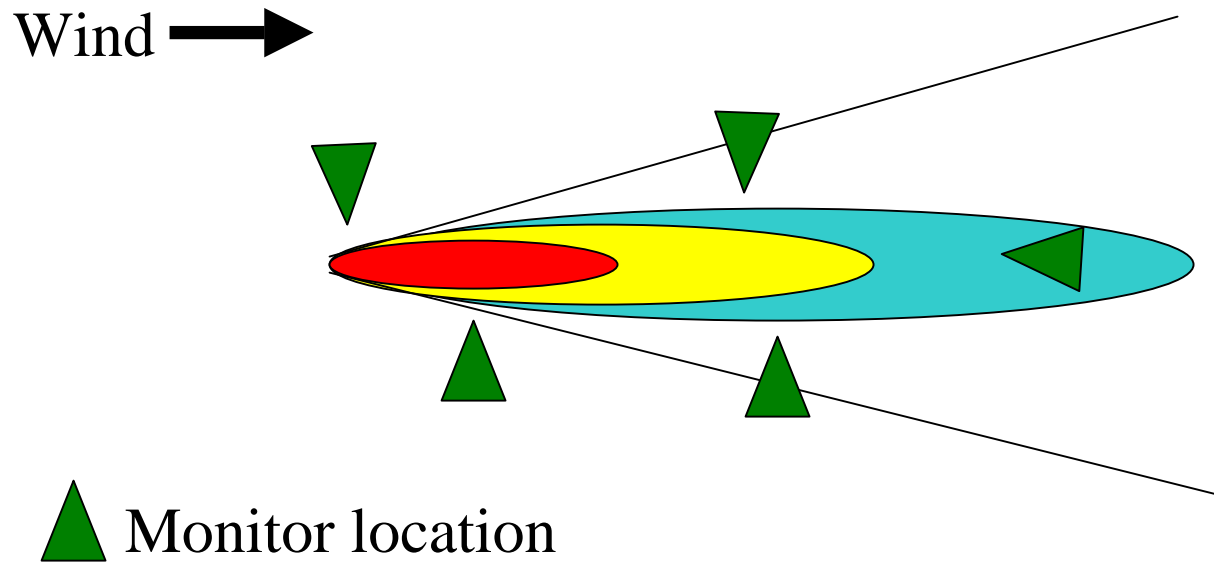
Used Jointly to Develop/Conduct Monitoring Plan



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Modeling vs. Monitoring (Cont)

Modeling & Monitoring



Looking Ahead

- Identify Current Resources On- and Off- Post
- Develop Plan to Allow Large Areas to be Cleared Quickly (Identified thru Modeling/Validated thru Monitoring)
- Identify Priority Locations (Biased Sampling)
- Understand the Time Elements to Monitor and get Lab Results



Re-Entry/Recovery Working Group

Agriculture Sub-Group

- Sub-Group Membership
 - Group Leader: Terry Hobbs - FEMA headquarters
 - Member: Ron Graham - USDA Headquarters
 - Member: John Short - Argonne National Lab



Planning Stages/Capabilities

- State & Local Government: Has lead in developing Re-Entry/Recovery Plan
- USDA:
 - Provides assessment of State's R/R Plan
 - Participates in Exercise Evaluations
 - Participates as Player during Exercises
 - Provides Agriculture Ingestion Pathway Training to States and Local Governments



Post Emergency Response

- State & Local Government:
 - Requests Federal Assistance
 - Develops Protective Action Decisions from recommendations made by the State's Staff, USDA, or other Federal Agencies
- USDA:
 - When requested, mobilizes to effected area



Post Emergency Response (Cont)

- USDA:
 - Provides Technical Assistance from 13 USDA Agencies IAW USDA CSEPP Plan:
 - Develops Food Ingestion Pathway Protective Action Recommendations for the State and Lead Federal Agency
 - Assists in developing Sampling Plan, Food Control Area, and Embargo/Quarantine Procedures
 - Provides Other Assistance under the Federal Response Plan
 - Emergency Support Function 4: Firefighting
 - Emergency Support Function 11: Food
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Sub-Group's Objectives and Goals

- Review CSEPP Planning Guidance Appendix M
- Web Site for References, Policy Guidance, and other documents
- Critical Planning Elements List
- Helpful Resources List



Sub-Group's Objectives and Goals (Cont)

- Other Things:
 - Land Use Maps
 - Integration of Fish, Game, and Forestry into Sampling Plan Strategy
 - Provide Guidance on Developing Sampling Plans and Food Control
 - Acknowledging Public Perception
 - Development of Agriculture Ingestion Pathway Training Material



Re-Entry/Recovery Working Group

Legal Claims Sub-Group

- Legal Claims Sub-Group Membership:
 - Leader: Steve Douglas - Pueblo County Department of Emergency Management
 - Member: David Holm - Director and Legal Counsel, Colorado Office of Emergency Management
 - Member: Joe Herring - FEMA Headquarters



Local Commander's Authority

- **General:** Military commander can act/commit resources for immediate threat to life/property
- **Benefits:** Immediate, broad ranging, usually not second guessed
- **Limitations:** Short duration, only immediate threat, not for recovery, usually response oriented



Stafford Act

- **General:** Federal Act for generalized disaster aid to public/governments
- **Benefits:** Well known/understood, broad range of aid, very recovery oriented, can be quickly implemented with money flowing rapidly, gives access to many federal resources, living accommodation needs can be met quickly, may assist government recovery, triggers other benefits i.e. unemployment compensation, tax filing delays and instant refunds, minimal application activities required of victim



Stafford Act (cont.)

- **Limitations:** Requires Presidential decision, not designed for federal fixed facility, often requires match, fairly strict regulations, may not meet all needs, minimum dollar loss threshold, grants not designed to make victims whole



Federal Torts Claims Act

- **General:** Allows claims/suits filed against federal government for events caused by federal actions
 - **Benefits:** Gives authority for settlement and payment, broader range than many methods, allows some consequential claims
 - **Limitations:** Narrowly construed, requires single claim be filed, later discovered damages precluded, requires multiple actions by victim and maybe court, adversarial method, burden on the victim, time consuming
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Military Torts Claims Act

- **General:** Similar to Federal Torts Claims Act, limited to uniquely military acts.
- **Benefits:** Gives authority for settlement and payment, broader range than many methods, allows some consequential, claims infrastructure in place - Army Claims Service, claims process well known



Military Torts Claims Act (cont.)

- **Limitations:** Narrowly construed, requires single claim be filed, later discovered damages precluded, requires multiple actions by victim and maybe court, adversarial method, burden on the victim, time consuming



Federal Environmental Legislation

- **General:** Various environmental regulations/statutes deal with assessing costs involved in response and clean up
- **Benefits:** Some provisions for temporary relocation costs driven by clean up, primarily for recovering response costs of governments for releases and so should be viewed essentially as governmental response and recovery assets



Federal Environmental Legislation (Cont.)

- **Limitations:** Not sources of support for the general public, except for very temporary clean up assistance



Public Officials Discretionary Funds

- **General:** Though limited in nature some discretionary funds exist at political levels
- **Benefits:** Can be used broadly, media attention may encourage assistance, for immediate assistance to displaced/ affected persons.
- **Limitations:** Uncertain, not a source of long term recovery



Congressional/Executive Action

- **General:** It is likely there would be legislative action and/or extraordinary executive action to compensate the victims of a CAIRA event.
 - **Benefits:** Likely there would be legislative action and/or extraordinary executive action to compensate the victims of a CAIRA event, can be broader than all other aid
 - **Limitations:** Not mandated/delimited, subject to political whims and concerns
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R & R WORKING GROUP

WRAP-UP COMMENTS



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UTILIZE RECOVERY TTXs TO:

- RESOLVE THE “WHO IS IN CHARGE” QUESTIONS
- APPLY THE INCIDENT COMMAND SYSTEM
- GET A REALITY CHECK ON SAMPLING AND ANALYSIS RESOURCES/RATES
- IDENTIFY COMMUNITY SPECIFIC CLAIMS ISSUES
- IDENTIFY PUBLIC INFORMATION REQUIREMENTS

